

**MEMO ENDORSED**  
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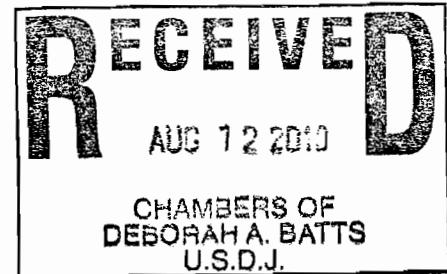
KARIN E. FISCH

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August 11, 2010

**BY FEDERAL EXPRESS**

The Honorable Deborah A. Batts  
United States District Court  
Daniel Patrick Moynihan United States Courthouse  
Room 2510  
500 Pearl Street  
New York, NY 10007-1312



**Re: In re J. Ezra Merkin and BDO Seidman Securities Litigation,  
C.A. No. 08-Civ-10922 (DAB)**

Dear Judge Batts:

This firm is co-lead counsel, along with Wolf Haldenstein Adler Freeman & Herz LLP, in the above-referenced action. I write to request an extension of time for plaintiffs to respond to the motions to dismiss filed by three sets of defendants on July 30, 2010 and August 2, 2010. The original response date, absent an extension, would be August 14, 2010. Plaintiffs have not previously sought an extension of time.

**MEMO ENDORSED**

The parties in both the class and individual cases before Your Honor have conferred and agreed upon the following dates: October 22, 2010 for Plaintiffs' opposition briefs and November 19, 2010 for Defendants' replies.<sup>1</sup>

Granted  
DAB  
08/13/10

**MEMO ENDORSED**

These proposed dates take into account, among other things, August vacation schedules, September religious holidays, a scheduled trial for certain counsel in late September, and the number and complexity of the motions to dismiss. All counsel are available at the Court's convenience should Your Honor have any questions or concerns.

Respectfully,

*Karin E. Fisch* **SO ORDERED**  
Karin E. Fisch  
DEBORAH A. BATT'S  
UNITED STATES DISTRICT JUDGE

<sup>1</sup> Counsel for the BDO defendants consented to an earlier request for an extension of time provided Your Honor approved the request and the BDO Defendants were given sufficient time to reply. The BDO Defendants did not expressly weigh in on the dates ultimately agreed upon. In light of the looming response date, Plaintiffs are sending this letter without having immediately heard back from the BDO Defendants with respect to these new dates.

Aug 8, 2010